

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

| | | |
|----------------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| |) | Case No. 2:00CR10101 |
| |) | |
| v. |) | FINAL ORDER |
| |) | |
| CLAUDE SLOAN, |) | By: James P. Jones |
| |) | United States District Judge |
| Defendant. |) | |

For the reasons set forth in the Opinion accompanying this Final Order, it is
ORDERED as follows:

1. The defendant's motion, styled as "MOTION TO DISMISS FOR LACK OF TERRITORIAL JURISDICTION," (ECF No. 90) is DENIED, and the defendant's submission is CONSTRUED as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255;
2. The Clerk is DIRECTED to redocket the motion (ECF No. 90) as a § 2255 motion;
3. The § 2255 motion is hereby DENIED without prejudice as successive and stricken from the active docket; and

4. A Certificate of Appealability is DENIED, based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right.

ENTER: September 27, 2012

/s/ James P. Jones
United States District Judge